S.B. Cr. Bail Application No. 4404/2007
(Sandeep Yadav Vs. State of Rajasthan)

Date of order : 07.09.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Kulwant Singh for the petitioner.
Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioners and public prosecutor for the State. Perused the order impugned and challan papers. I have also carefully gone through the statement of Hemant Kumar recorded by the Judicial Magistrate under Section 164 Cr.P.C. as also the statement of deceased Sarla in earlier proceeding dated 31.1.2007 wherein she categorically stated that she was threatened by her brother Rajesh along with the present petitioner for contracting marriage with a person of other community i.e. Meghwal community. On the relevant date, the presence of the petitioner has been shown by eye witness Hemant Kumar as also role has been assigned to him as also a blood stained pant has also been recovered from the present petitioner.

Keeping in view the serious allegation of murder and evidence available on record, in my view, it is not a fit case to release the petitioner on bail.

The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed.

(H.R.PANWAR), J.

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